BOARD OF ALDERMEN.

Pro. 19.—The President in the chair, and Aldermen Williamson, Blunt, Wood rard, W. Tucker, Voorhis, Trowbridge, Boardman, Wakeman, Christy, C. H. Tucker and Mott, present.

point clerks for some of the Police Courts. The Mayor had been havited, but did not attend. Alderman Morr moved to southern the Mayor's appoint-ments, which was not sessuited.

A discussion arese as the powers of the Board to make the appointments without the participation of the

Mayor.

Alderman Williamyon ofered aresolution to appoint Win H. Cauniff as clerk at the Jefferson Market Police Court, in place of Mr. Davidson, resigned.

Alderman WOODWARD, MOTT and YOURIES opposed this resolution.

Alderman WARKELAN stoke at some length, contending that the section in relation to these appointments, gare the majority of the members the power to make them, and that it was immaterial whether the Mayor octed with them or not.

Alderman Woodwann was here observed to be missing, and only eleven members, are a quorum, remained consequently the Board stood adjourned.

Dec. 20.—Nathan C. Ely Psq., President, in the chair. The minutes of the last meeting were read and approved.

The minutes of the last meeting were read and approved.

The minutes of the last meeting were read and approved.

REFORM AND PAPERS FROM THE COUNCILARS.

The report of the Counciltee on Assessments, in favor of concurring to confirm assessment for regulating Eighty fourth street, from Third to Second avenue, was concurred in. The resolution of the Board of Counciltee. The resolution of the Board of Counciltee, to advance \$125,000 to the Governors of the Amsternor, was referred to the Finance Committee. Resolution of the Councilmen in relation to Niles' American Regulator, was referred to Committee on Arts and Sciences. The resolution of the Councilmen, in favor of paying the President of the Board of Aldermen and the President of the Councilmen \$250 cach, for services rendered as Health Commissioners—they not being otherwise compensated for such services—was concurred in, all the members present, except the President, having voted in the affirmative. The report of the same, in favor of reminerating the official reporter of the Board of Councillation, was concurred in. A re-clution, appropriating 2:50—instead of \$500, as passed by the Councilland—for Procuring a portrait of Mayor Westervelt, to be placed in the Governor's room, and adopted. Report of same, to say John P. Whitman, polecusan of the Sixteenth ward, for services, was concurred in. Report of Conference committee of the Councilment recommending the suspension of A. P. Heath, of Engine Ce. No. 14, for mice months, for rouning Sarrels, &c., in the way of Engine Co. No. 42, on the 18th of April last, was adopted. The recort of the Councilmen, in favor of papropriating \$150 for the purpose of presenting a Switzshle testimonial to John W. Garside, a fireman, for recouning the lives of three persons at the fire No. 271 Grand street, on the 1st of July, 1854, was received, and after some little opposition, was concurred in. The report of the Finance Committee with an ordinance for an additional appropriation of \$30,000 to pay salaries, and \$2,000 for contingencies, to support the city government for the year 1854, was concurred in.

Do the report from the Councilmen, recommending the Popropriation of \$15,000 for the purchase of Abbott's collection of antiquit en, a discussion arose.

Alderman Chauncar was in favor of it, and moved its reference, in order that parties interested might be heard on the subject.

Alderman Voorms repudiated the Idea of exponding so much of the public funds for such humbugs; the Mola of the Exprisans, censisting of dogs, monkeys, bouls and such things; they did not want them; they could worthly their God as Christians, and should not sequence the public money on such temfooleries. The humbug at the end of the Park, who has just published a book telling the people how he has humbugged them for a series of y Health Commissioners—they not being otherwise com-pensated for such services—was concurred in, all the

Alderman WM. Techniques of the resolution, by inserting that the appropriation be made for hot coffee and rolls for the poor, during the winter. This motion was ruled out of order by Alderman Mott, who was act-

was ruled out of order by Alberman move, ing as chairman pro tens.
Alderman Warkman spoke in favor of the reference to a committee, and said that it was a courtesy due to a committee, and said that it was a courtesy due to such men as Dr. Francis, whose high character and attainments every American was proud of. Dr. Francis and other eminent and honorable citizens were desirous and other eminents. sluable collection.
The motion being put to concur with the Councilmen appropriate \$15,000 for the purchase of the antiquies—there appeared 17 against, and one in favor of the solution.

Esolution:
A resolution was then offered by Alderman William
A resolution was then offered by Alderman William
Dr, inviting the Mayor to attend the Board on Priday,
to take into consideration the appointment of clerks for
the Police courts: pending a discussion on which the
Board adjourned for want of a quorum.

BOARD OF COUNCILMEN.

Dac. 19.-The Board met at 5 o'clock, pursuant to ad journment, Edwin J. Brown, President, in the chair. The minutes of the last meeting were read and approved. PHITTIONS REFERED.

Of M. Lawrence and others, to have New City Hall fault in the Central Park. PAVING THE ROWERT.

Councilman Marines brought up again the following preamble and resolution, presented by him the previous

Whereas, by section 23 of the charter of 1849, all contracts to be made or let shall be made by the appropriate heads of departments, under such regulations as shall be established by ordinances of the Common Council. Whereas, soction 596 of the ordinance organizing the departments, as amended October 25th, 1849, requires the contract to be a companied by a bond, in the penalty mentioned in the proposals therefor, executed by the survives, with the carb, in writing, of such survives, that work is a householder or freeholder in the city of New York, and is worth the security required; and Whoreas, the proposals of the Commissioner of Repairs and Supplies for paving Park row, Chatham street, dee, require the amount of the security to be the amount of the bid; and Whoreas, at the rate of three dollars per square yard, such security would amount to three hundred thousand dollars, there is neither reason or propriety in requiring security in selarge a sum, but to the contrary, from the difficulty in precuring such, none but large papitalists can compete for the work; and Whereas, the interests of the city require, that the work be submitted to all practicable competition, which tan only be done by placing the amount of security required at as small a sum as possible, without jeopardizing the work; therefore.

Resolved, That the Commissioner of Repairs and Supplies be, and he is hereby, directed to withdraw his proposals for paving, with square blocks, Park row, Chatham street, the Bowery and Fenrth arenue, from Spruce & Seventeents street.

Resolved, That said Commissioner of Repairs and Supplies be, and he is hereby, directed to withdraw his proposals for paving, with square blocks, Park row, Chatham street, the Bowery and Fenrth arenue, from Spruce & Seventeents street.

Resolved, That said Commissioner be, and he hereby is, directed to amount his older for proposals, so that the security required shall be irenty per cent of the bid; provided, however, that the amount on the entire work, is estimated as as a whote

amended. Councilman REED moved to insert "fifty" in liou of Councilman REED moved to insert "fifty" in lieu of brenty. Carried.

Councilman MATHER moved further to amend by inserting after the word "so," line 2, in the second reasition, the words, "as to require the longitudinal joints to be broken by a lap of not less than two inches, Lao, so that," &c. Carried.

Councilman Conover moved also to amend by inserting by the last resolution "ten" instead of six. He also offered to amend so as to have the man-holes lie diagonally, instead of longitudinally, with the curbatones. Buried.

The preamble and resolutions, as amended, were than

The preamble and resolutions, as amended, were then adopted.

The Board subsequently went into Committee of the Whole, and recommended the adoption of numerous bills, which were ordered by the Board to a third reading.

In view of the present hard times for the poor, Councidenan Kusamp presented the following resolution:—

That the Comptroller be directed to draw his warrant for any or of James Brown, Esq., President of the "Association for Improving the Condition of the Poor," for the found g b, 0,000, which amount is hereby appropriated for the resolved itself into Committee of the Whole for the consideration of this resolution, which believe that the resolved itself into Committee of the Whole for the price was recommended, and it was subling done, its admitted by the Board to a third reading without the Board then a pion was recommended, and it was subling done, its admitted by the Board to a third reading with the Board then a sterday afternoon at 5 o'clock, the This Board met an extended the sterday afternoon at 5 o'clock, the

This Board met ya sterday afternoon at 5 o'clock, the Provident in the chair. The minutes of the last meeting

prere read and approved. The routine business was n

By Connellman Coorse Of the wners of property on from Tenth to Thir-

By the President-Of citizens of the . By the Presenter—Of citizens of the hird ward, to have nutaance existing at No. 75 Greenwise.

Zenved. Referred to Corporation Astorney.

By Councilman Cupron—Of Dr. M. P. Morse, he are the councilman cupron—Of Dr. M. P. Morse, he are the councilman for professional services (securing a wound is not be bell amounting to \$125. Referred.

Ry Councilman Holdona—That the Chief Engineer of the Croton Aqueduct Department be requested to use mutable means to prevent the hydrauts from freezing.

Ry Councilman Kassack—That the sales of the Croton Aqueduct Department be requested to use mutable means to prevent the hydrauts from freezing.

By Councilman Kassack—That the sales of the councilman Kassack—That the councilman the counci

RESOLUTIONS.

By Councilman Holder.—That the Chief Eaginese of the Croton Aqueduct Department he requested to use suitable means to prevent the hydrauts from freezing.

By Councilman Kinsback.—That the salary of the Auditor in the Comptroller's Office be increased to the sum of \$2,000 per annum from the lat of January, 1856.

Report of Committee of Finance, in favor of correcting sax of 1850. Referred.

Report of Committee on Finance on petition of George in a printed as for the plaintiff.

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Report of Committee on Finance on petition of George in the

Boars Addermen to organize a hese company in Twenticts ward. Adopted.

Of the Committee on American Referred.

Of Committee on the Law Department—Concurring with Board of Addermen to accept the surrender of the Russ and Reid contants for paving the Board and Chatham streets. I add over.

Of Committee on Finance—An ordinance authorizing the appropriation of \$52,000, (for contingent expenses, \$2,000; for malaries \$56,000,) for the expenses of the city government for the year 1864. Referred to Committee of the Whole.

COMMITTEE OF THE WHOLE.

On motion, the Board went into Committee of the Whole, Councilman Jeremiah in the chair.

The report of the Committee on Finance, appropriating \$52,000, (as above.) was taken up.

Councilman KANNEOV said there was about \$1,500 in the hands of the Comptroller of the appropriations for salaries and contingent expenses. He moved that the committee rise and report in favor of the adoption of the committee rise and report in favor of the adoption of the committee rise and reported, and the ordinance was adopted on a third reading.

Councilman Convext moved that the Board, when it adjourns, adjourn to Friday afternoon, at 5 o'clock. Carried.

COMMITTEE OF THE WHOLE.

Carried.

COMMITTEE OF THE WHOLE.

Then several reports and resolutions, of no special importance, were ordered to a third reading.

And they the committee rose.
On motion of Councilman Hodgenson, the resolution authorising the appropriation of ten thousand dollars for the relief of the poor, was taken up and unanimously passed. And then the Board adjourned.

BOARD OF EDUCATION. Dec. 20.—The Board met pursuant to adjournment— E. C. Benedict, Esq., President, in the chair. The mi-

nutes of the last meeting were read and approved.

APPLICATIONS OF SCHOOL OFFICERS.

Of Twentieth ward—For authority to divide contract

or heating and ventilating apparatus for new school in Twenty-eighth street. Referred.

Of the same—For appropriation of \$4,508 for extra work, gas fixtures, &c., for new school is Twenty-eighth

of the same—For appropriation of \$2,233, to pay balances for school in Thirty-seventh street, near Tenth avenue. Referred.

Of the Twenty-first ward.—For an appropriation of \$425 for hot air flues in building No. 49, in Thirty-ninth street. Referred.

Of the Twenty-first ward—For an appropriation of \$425 for hot air flues in building No. 49, in Thirty-ninth street. Referred.

BY Mr. Phillips—That the Committee on Warning, &c., take steps to insure the warming of ward school No. 38, in the Eighth ward, at an expense not to exceed \$5000. Adopted.

By Mr. Cooledge—That the school record book, entitled "List of Pupils, with the number of months which they have been taught," be required to be kept from and after this date by the principals of every grammer and primary school under the jurisdiction of this Board, and in such manner as not only to show the number of months, but the number of days, also, which each pupil has been taught with the totals of months and days for each pupil for every year, and that the clerk provide the necessary number of copies of the same, to be sent from the depository for the purpose. Referred.

FERCIAL ORBER.

The Board than took up the report of the Select Committee, to whom was referred a resolution for preparing a tariff of supplies, contemplated by the 2d section of article 20 of the by-laws. The committee recommend the adoption of the following by-laws, with a tariff of supplies required by the several schools of the city under the jurisdiction of the Board of Education, for the use of teachers, pupils, &c. as previded for in section 1 of article 20, shall only be furnished hereafter according to the entitle 20 of article 20, and on the written requisition signed by the principal or vice principal of the school or department for which the same is required, and extical and of article 20, and on the written requisition signed by the principal or vice principal of the school or department for which the same is required, and extical and certain contingencies provided for in sections 23 and 24 of article 20, and on the written requisition signed by the principal or vice principal of the school or department for which the same is required, and extified as approved by the Special Committee of the Board of Ward Officers, authorized fo

The report was adopted.

Of Committee on Supplies—In favor of appropriating \$19,000 to the depository.

Of Committee on By-laws—On the subject of reducing the number of members forming committees, adverse to the reduction. Adopted.

Of Committee on Repairs—In favor of appropriating \$1,000 to the shop. Adopted.

Of the Kreeutive Committee on the Free Academy—Asking an appropriation of \$1,250 for the support of the Free Academy, and \$1,000 for repairs to the same. Adopted.
Of Finance Committee—Recommending an appropriation of \$40,000 for the support of the ward schools Adopted.

Adopted.

By Mr. West—To pay the necessary expenses for repairing and cleaning scheel house No. 5, in Mott street,
lately eccupied as a cholera hespital, which expenses
the Board of Health has refused to pay.
It was moved that the sum do not exceed \$600, and
that an application be made to the Board of Health to
refund the same. The resolution, as amended, was
adopted. The Board then adjourned to Wednesday next.

COMMISSIONERS OF EMICRATION The Board of Commissioners met yesterday at 4 P. M., Commissioner Verplanck in the shair. Present—Com missioners Carrigan, Kelly, Witthans, Kennedy, Purdy, Dunlap and Lambert. From the weekly statement, it appears that the total

number of persons who have arrived at this port, up to Desember 20, is 303,918. The total receipts, during the Pesember 20, is 303,918. The total receipts, during the same period, have been \$666,834 56, and the disbursements, \$605,576 62, leaving a balance in the bank of \$55,257 94.

Considerable discussion arose on a motion to continue the meat contract. It was at length decided to appoint a committee to draw up new specifications, and reject those now before the Board.

Commissioner Purpor presented a potition from the Opthalmic Hospital, asking for an appropriation, on the world the many of the satisate are amprents. Re-

thalmic Hospital, asking for an appropriation, on the ground that many of the patients are emigrants. Referred to the Committee on Out Door Poor.

A motion was made by Commissioner Purpov to appoint an officer to see into the condition of the emigrants who apply for relief at the office of the Commissioners.

After discussing this motion for an hour, it was at length referred to a commission to report at the next meeting.

length referred to a committee to report at the nearmecting.

The Beard then adjourned.

The Beard then adjourned.

The following is the note of Mr. Evarts, referred to in the reply of the Ten Governors —

No. 2 Handers Street.

Dear Sir.—No agreement to refer the matter in controversy between the Governors of the Almahouse and the Commissioners of Emigration has yet been exchanged. The matter rests still upon my proposition to include the important question relating to recent emigrants committed as vagants, to which the counsel of the Commissioners has given no explicit answer. Yours, respectfully.

B. Dhaffer, Feq.

Legal Intelligence.

Supreme Court of the United States.—Duc. 14.—No. 30.—Zebedee Ring and al. vs. Hugh Maxwell. Certificate of division between the Judges of the Circuit Court of the United States for the Southern district of New York. Mr. Justice Curtis delivered the opinion of this court, that the first question certified by the Circuit Court in this case must be answered in the negative, to wite—That upon a true construction of the revenue laws of the United States, the additional dusies of twenty per cent which have been levied and collected by and paid to the defendant as Collecter of the port of New York, as stated in his answer, under and by virtue of the eighth section of the act, entitled "An act for reducing the duties on imports and for other purposes," passed July 30, in the vear 1846, were not to be treated as penalties, and one moisty thereof divided between and paid in equal proportions to and among the Collector, Naval Officer and Surveyor, of the port of New York, hobiling said offices at the time of the levying, collection and payment thereof, in the said port of New York, as claimed by the plaintiffs in their bill in this cause. And this Court is further of opinion that, as the decision of the case, it is unnecessary to consider and respond to the other questions certified. No. 2. The State of Fennsylvania, complainant, vs. the Wheeling and Belmont Bridge Company. The argument of the several motions in this case, for a writ of sequestration against the corporation, for an attachment against its officers, for a writ of assistance to execute the decree of this court, and for a taxation of costs, was continued by Mr. Edwis M. Stanton in support thereof. Adjourned.

Dr. 16.—No. 7 of original actions. The State of Peensylvania, complainants, vs. the Wheeling and Belmont Ridge Company. The argument of the motions in this case for a writ of sequestration against the corporation, and for an attachment against in officers, was agued by Mr. Edwis M. Stanton, in support thereof, and by Mr. Reverdy John

wis argued by Mr. Preston for the appellaut. Adjourned.

INCEMBER 13.—No 4. The York and Maryland Line Railroad Company vs. Rors Winans. Error to the Circuit Court of the United States for the Eastern District of Pennsylvania. Mr. Justice Campbell delivered the opinion of this court, affirming the judgment of the said Circuit Court in this cause, with costs and interest. No. 130. James Montgomery and al. vs. the steamer Jewess, &c., J. F. Faray and al., claimants. Appeal from the Circuit Court of the United States for Maryland. On the motion of Mr. Reverdy Johnson, of counsel for the appelless, this appeal was docketed and dismissed with costs. No. 131. The Norwich and New London Steamboat Company, owners of steamboat Worcester, appellants, vs. the steamboat Bay State, &c., R. Borlen, and al., claimants. Appeal from the Circuit Court of the United States for the Southern District of New York. On the metion of Mr. Lord, of counsel for the appelless, this appeal was docketed, and dismissed with costs. No. 14. Samuel Mayor & Brother, appellant vs. the galliot Venilia, &c. Appeal from the Carettern District of Pennsylvania. This cause was called a dismissed with docs under the 56th rule. No. 15. Land Linited States, plaintiffs in error, vs. June Levols, and Law and the Co., claimants, &c. These of the Court rument by Mr. Attorney General Unshing in error, vs. Lion Pintard & Co., claimants, &c. These of the plaintiffs in error, vs. Lion Pintard & Co., claimants, &c. These of the plaintiffs in error, vs. Lion Pintard & Co., and the Court rument by Mr. Attorney General Unshing in error, vs. Lion Pintard & Co., and the Court rument by Mr. Attorney General Unshing on a printed as in error. No. 19. Atexander M. Law mants of the ship Hornet, appellants, and the plaintiffs in error. No. 19. Atexander M. Law mants of the ship Hornet, appellant and coation of the ship Hornet, appellant and coation of the ship Hornet, appellant and coation of the papellant and coation of the papellant and coation of the papellant and coation

on Chief Justice Or

ACTION AGAINST THE EVENING MIRROR FOR ALLEGED LIBEL.

DEC. 20.—Charles E. Shelton w. Hiram Fuller.—In this case Mr. Willard summed up for the defendant and Mr. Whiting for the plaintiff.

The Judge then proceeded to charge the jury. He said that Mr. Shelton, the plaintiff in this case, has sued Mr. Fuller, the defendant, for a libel, which had been read to them; and it certainly is a libel of a very serious character, ascribing to the plaintiff the commission of offences which, if guilty of, would render him liable to imprisonment. Mr. Fuller has not put in what is called necter, ascribing to the plaintiff the commission of of fences which, if guilty of, weald render him liable to imprisonment. Mr. Fuller has not put in what is called a justification. He had placed on the records of the Court as answer to the complaint, which the Judge at special term very properly ordered to be stricken out. The defendant then suffered judgment to be taken by default, and this case the ordinary course would have been to go before a Sheriff's Jury to have the damages assessed, and this case should have been so disposed of, as there is nothing beyond an ordinary libel in it. The case is, however, before them now, and all they had to do was to assess the damages. The plaintiff is entitled to something, it is admitted on all hand. This substance of the libel was that the plaintiff had been concerned in an over-issue of steet; and that he had field to parts unknown. In estimating the damages the jury were to take into consideration the sharacter of the parties. In the first place the man who comes into court to sue for damages to speak to his general reputation. So it is competent for the defendant to call for witnesses to impeach him, and set the jury in making up the judgment would say how such causes for censure or blame against Shelton have arisen, and they would also take into consideration what damage he sustained. The defendant alleges an absence of mainer. The law fingles mails exclusive the defendant intended mailee. In this case it was offered to be proved that Mr. Fuller's assistant editor—for whose act Mr. Fuller is responsible—published the article. It was contested, that that evidence was competent. It seems to the court that three is a difference between an editor publishing a fact which he has received from a credible person and giving circulation to increment. The evidence was before the jury, and they would give it the weight that it was entitled to. The publication was an incautious act. There was no difficulty in editors steering clear of those It he has been made here upon the l

At a general term of the Superior Court of the city of New York, held at the City Hall in the city of New York, on the 16th day of December, in the year of our Lord one thousand eight hundred and fifty-four, the following order was made:- Ordered, That the Calendar of Causes for trial at the

Ordered, That the Calendar of Causes for trial at the ensuing January term of this court be continued as the calendar of the next February and March terms, respectively, and be taken up at the commencement of those terms respectively, at the place where the court leaves off at the close of the term immediately preceding.

Causes not noticed for trial at the January term, and such as are, during that term, put off for the term, or called, or passed, may be noticed for the February and March terms; and causes thus put off, called, or passed, during the February term, may be noticed for the first Monday of March. The clerk will place the causes as noticed for February and March terms; respectively, at the foot of the January calendar, according to their respective priority.

Notes of issue are to be filed in the causes last men-tioned; in other causes on the January calendar, no notes of issue need be filed for the two subsequent terms but a notice of trial must be served for each term that the causes may be put on, or continued on the calen-

dar.

And it is further ordered, that all notes of issue hereafter, for the general, special and trial terms of this
court, must be filed with the clerk eight days before the
commencement of the first day of the succeeding term.

DECISIONS IN ADMINALTY.

By Hon. Judge Ingersoll.

DEC. 20.—Giles Hawley against the Canal Boat Ann
Arbor.—The libel in this case is filed to recover the value

of a quantity of butter, shipped on the 5th or 6th of De-cember, 1862, on board the canal boat, then lying in the city of New York, and there delivered. It is alleged that four hundred and forty-nine tube of butter were shipped, and only four hundred and twenty-seven delivered, and that the canal boat is responsible in admiralty for the loss. The defendants deny that more than four hundred and twency-seven were shipped, or that the boat is liable in admiralty if they were lost. The evidence was given by one witness, that he kept the tally of the tubs as they were shipped, or had it kept; that four hundred and forty-nine tubs of butter went on board; that the weight was marked on each tub, and that the weight of

given by one witnesse, that he kept the tally of the tubs as they were shipped, or had it kept; that four hundred and forty-nine tubs of butter went on board; that the weight was marked on each tub, and that the weight of all was 50,562 pounds. Evidence was given, however, that some butter was put on board when he was not present; and one of the ibellants, in obtaining a clearance at the Collector's office at Rome, represented the weight to be 45,694 pounds. The captain of the boat, his wife and son, who came with the boat to New York, all testified that it had not been disturbed on the voyage, and could not have been without their knowledge, and that all was carried to New York, was safely delivered to the consigness. Held by the Court that it is not shown by sufficient proof that these twenty-two tubs were ever put on board, but that all that was put on board was safely delivered. That it therefore was not necessary to de cide the question of jurisdiction; but without having sufficiently considered that question, the impressions of the Court are against the locat. The canal beat was not built to navigate tide waters, but the Eric canal, and is not a ship within the definition in Benedict's Admiralty, see. 215, not being a "locomotive machine." When a ship is libelled in an admiralty court for a breach of a maxima conjuact, it is upon the ground that the ship itself contracts, and if such a canal beat as this, while on the Eric canal up in Oncida county, can enter into and bind itself by a male of the callon of the relired carriage into itself was and if such a canal beat as this, while on the Eric canal up in Oncida county, can enter into and bind itself by a mark of the wheels of the railroad carriage into itself was fleed by the owners of the cargo, which was unboard of one tanger for the same county on the interest of the railroad carriage into itide water, and be towed by a steamboat to New York. Libel dismissed with the preceding one, and as like decree accordingly entered in favor of the libellants.

He

curred by reason of fault on the part of the proposite and that there was no fault on the part of the schooner lectre for libellants, with a reference to compute the damages.

The Cocas Steen Navigation Co. agt. the Ship Rescue and her Corpo.—The libel was filed in this case to recover a salvage compensation for services rendered to the ship Revenue by the school of the steen whip Washington, owned by the libellants. The ship Revenue, of \$45 tons butthen, valued with her cargo at \$35,000, anied from Hampton Roads on the 5th of September, 1853, bound to Australia. When about five days out she encountered a severe gale, which threw the ship on her beam ends, and to right her the crew were compelled to cut away her main and misen masts. She also lost her fore towns at and jibboom, and her rudder, during the gale, which lasted about six hours. After the gale the crew proceeded to get up jury masts and a temporary rudder, which lasted about six hours. After the gale the crew proceeded to get up jury masts and a temporary rudder, which lasted about \$20 miles from Sandy Hook. The captain had been sick for several days before. About 9 in the morning of the 28th, they were hailed by the pilot boat David Mitchell, and an agreement was made that the pilot boat should tow the ship. She accordingly took hold and towed her until about 5 in the afternoon, when the steamship Washington, then bound from Bremen to New York, offered her assistance to the ship, which was accepted. She took hold of the ship about 6 P. M., and the pilot boat then let go. The wind that night blew from the north and northwest, blowing heavily in equalls. The Washington towed the ship thaving by this time been towed to anchorage ground, came to anchor. The weather was boisterous through the night, so that the Washington could not take hold of her again that night, but she remained by her, and in the morning took hold of her again with another haveer, and brought her late in the afternoon to the city of New York, having parted the second haves or also.

Before Hon. Judge Mitchell.

PRACTICE—COSTS.

Dro. 20.—Marks vs. Bard.—The facts in this case sufficiently appear in the opinion, which was delivered. The plaintiff sued E. H. Bard & J. Bard, Jr., with five other defendants, as joint makers of a promissory note. These two defendants, with four of the other defendants, put in one answer, in which all six denied that the deput in one answer, in which all six denied that the defendants made the note in question, or that the defendants were partners, and these two defendants also denied all knowledge of the facts stated in the complaint. At the trial the plaintiff moved to strike out the names of these two defendants from the complaint, and to discontinue the action as to them; and his motion was granted, with the addition that he pay one bill of costs to those two defendants. From the latter part of this order the plaintiff appeals. It was a matter of course, if his motion were granted, that he should pay the costs of the judgment to be entered against him in favor of those two defendants. He himself asked to discontinue the action as to them: he thus asked to separate them from the other defendants, and became subject to the costs that would follow from that separation. If their joining with the other defendants in making a defence would erdinarily have compelled them to share the fate of those defendants—the plaintiff's own motion releved them from that position; his complaint was joint—his motion severed those defendants, se that his complaint was no longer to be desmed as joining them with the other defendants, and it must, to de justice, be deemed also to have segred the answers of the defendants also. If this were not so, still the permission to discontinue as to the two defendants, was in the discretion of the Court, and was evidently granted only on condition that they be paid their coats. If the plantiff had not accepted this condition he were not so, still those were not so, still the permission to discretion of the Court, and was evidently granted only on condition that they be paid their coats. If the plantiff had not accepted this condition he were not so, still the seventh of the court. If the plantiff had not accepted this condition he would have been nonsuited for suing as partners, those whe were not so partners. Judgment should be allienced, with costs. fendants made the note in question, or that the defea-

ment should be smirmed, with costs.

Dzo. 20.—Chadbirne w. Byrne.—The plaintiff alleges that he kept on storage for defendant until the 6th of January, 1851, 3,024 bales of hay, for which he was to be paid three cents per bale per month for storage, and hree cents per bale for labor in putting the hay into he store. The defendant alleges that five cents per bale were to be paid, not only for putting in the hay but also for delivering it, and that it was not delivered by the plaintiff, but by another, te whom the defendant was to pay five cents per bale; and also that plaintiff was to teep the hay in store as long as defendant wished. There was some evidence to sustain the defendant's allegation; and if so, the plaintiff should not recover for merely receiving the hay, more than half the price agreed to be paid for receiving and delivering—that is, two and a half cents instead of five cents; but the Court allowed three cents. The agreement to keep the shay as long as the defendant wished must have meant, if the plaintiff outlined in possession. It would require very clear and unambiguous language to bind the plaintiff to keep the hay as long as he continued in possession of the store, and until he was evicted: he was entitled to storage for that time. The Judge, however, directed the verdict for the whole amount claimed by the plaintiff—that was, for storage and for labor-three cents per bale, instead of two and a half cents per bale. The only error in this was one-half cent on 3,024 bales—\$16.12, and interest on that Dao. 20 .- Chadbirne w. Byrne. - The plaintiff alleges and a half center by
one-half cent on 3,024 bales—\$15 12, and interest on that
sum. The exception of the defendant was to this direction of the Judge—it was to the whole of it—it was too
broad, and not pointed enough to draw the attention of
the Judge to this slight error: it cannot, therefore,
strictly be sustained. Judgmeni should be affirmed,
with costs, on the plaintiff remitting \$15 12, with intercet from January 6, 1851.

Supreme Court-Circuit.

ORDER IN BELATION TO THE CALENDAR. ORDER IN RELATION TO THE CALENDAR.

The Circuit calendar for this year will continue to be
the calendar for the year 1855, and will be taken up
where the trials close at this December circuit, which
will be near the number 1,150. New notes of issue in
causes already on the calendar need not be filed.

RICHARD B. CONNOLLY, Clerk.

Dated December 20, 1854.

Court of Common Pleas.

Dated December 20, 1854.

Before Hon. Judge Ingraham. Before Hon. Judge Ingraham.

SUIT FOR INFRINGEMENT OF THE BUILDING LAWS.

DEC. 20.—The New York Fire Department or Joseph
Harrison.—This was a suit to recover from the defendant the penalties arising out of not conforming to the
laws regulating the construction of buildings of a certain height and thickness, the defendant having put upfour houses on the south side of Jane street, between
Greenwich and Washington streets, exceeding 35 foot is
height from the level of the sidewalk, and having no
outside or party walls. The amount of the penalty
sought is \$200,000, being \$500 for each house, and \$50
for every twenty four hours each house was allowed so
to remain since March, 1852. The case is still on.

Before Hou. Judge McCarthy.

ACTION AGAINST THE MAYOR OF WILLIAMSBURG FOR TRESPASS.

Edward Neville vs. Wm. Wall.—This was an action for trespass and false imprisonment, brought by the plaintiff, proprietor of a hotel in Williamsburg, against plaintiff, proprietor of a hotel in Williamsburg, against he defendant, Mayor of that city, for arrest. It appeared that the plaintiff was arrested in August last, on a warrant signed by the defendant, charging him with seelling intoxicating liquors on a Sunday. The plaintiff was imprisoned in the Kings county jail, and damages for such incarceration are now claimed to the amount of \$500. The defences set up, was that the Mayor acted in his official capacity in suppressing the sale of liquors on the Saboth, and the Judge held that if an action could be maintained, it should be brought in the county of Kings. He therefore diamissed the complaint with costs.

First Judicial District Court.

Before Judge Green.

James Ryan against John B. Holmes.—This action is brought against the defendant, who has figured as a politician in the first ward, to recover on a promissory politician in the first ward, to recover on a promissory note made by defendant, dated April 18, 1834, payable three months after date to the order of plaintiff, for \$50, and which has not been paid. The defendant set up that the note was given for election purposes, jeon-trary to statute. The defendant's counsel called as a witness James Ryan, the plaintiff, who swore that this funct was given to him in part payment of \$140, loaned to defendant last fall, a year ago. The purposes for which the many was to be applied witness could not say. He did not know that it was to be applied for election purposes. The Judge decided that the defendant had not made out his defence, and therefore gave judgment for plaintiff for the amount of his claim, interest and costs.

till for the amount of his claim, interest and costs.

EXTENSIVE FINANCIERING IN NEW ORLEANS,—Samuel C. Bell, cashier of the Canal Bank, yesterday caused the arrest of John M. Lee, a broker of this city, when he charged with having overdrawn his account with said bank to the amount of \$58,400 92. He states in his affidavit that on the morning of the 6th instant he deposited in the bank four checks—two on the Southern Bank, one for \$6,985, and one for \$12,560, and two on the Union Bank, one for \$7,030 50, and another for \$11,900. Later in the day he drew three checks on the Canal Bank, signed "John M. Lee, agant," payable to bearer, for the sum of \$22,000, \$22,500 and \$5,000. These he presented for payment, and received the cash therefor, although he knew he was overdrawing his account to the amount above stated. It is also charged that he knew that the checks on the Southern and Union banks which he had deposited in the morning, were valueless, he not having funds in said banks to releem them. He was arrested and ordered to give security in the sum of \$40,000 for his appearance on Saturday next for examination, which he dd, and was coloased.—N. O. Prosyme, Doc. 5.

An association under the above title was organized March 1, 1864. The objects of the seciety are. To notify the emigrant, previous to his embarkation, of the anistence and aims of the society, so as to prevent him from becoming the dupe of designing parties when he lands here; to direct emigrants to pisces of abole while the many he secure from imposition in the city, where they may be secure from imposition and plunder; to furnish legal and pecuniary aid to such as need it, or have been the victims of oppression and fraud; to obtain information as to the different sections of the country suitable for settlement, and the demands for labor, to prepare full and accurate instructions as to the various inland routes and modes of transit, and to forward emigrants to any part of the country by the best and cheapest conveyances; to induce emigrants to proceed to the country, and to direct them to the most suitable localities; to furnish drafts and passage tickets for their friends in the old country, and thus protect

for their friends in the old country, and thus protect them from frauds and imposition.

For the accomplishment of these objects, it is pro-posed to establish suitable agencies and correspondents at the principal emigration ports of Europe; to establish similar agencies and correspondents along our great tho-roughfares of travel, especially westward and in the

Wost; and to solicit the co operation of other cities and towns in the establishment of auxiliary societies.

The plan has received the hearty commendation of our shipowners, merchants, the Commissioners of Emigration, and other influential citisons. With such auguries of auccess, it must prove an important element in abaling a fruitful source of destitution and suffering, and thus promote the material well the order of the property of auxiliary and the property of the prop

emigrant may reward your labor of love.

The following are the officers of the association:—
President, Peter Cooper; Vice-Presidents, Eleazar Parmly, Rev. Dr. Asa D. Smith; Treasurer, Francis A Palmer; Corresponding Secretary, Mortimer DeMotte; Recording Secretary, Jasper E. Corning, General Agent, D. R. Thomason.

Obstuary.

DEATH OF MRS. JAMES A. BAYARD.

Among the notable deaths of the last week, worthy of record, was that of Ann Bayard, widew of James A. Bayard, of Delaware She sied in the city of Philadelphia, on Sunday evening, the 10th instant, in the 77th year of her age. Few ladies have over lived or died in the United States, more honorably connected with its political history. Her father, Richard Rassett, was the first United States Senator elected by the State of Delaware. He held his seat from the year 1789 to 1783. He amaband, James A. Bayard, was elected to reprosent the State of Delaware in the lower house of Congress from 1797 to 1803; in 1801 he was appointed Minister Plenipotentiary of the United States Senator from Delaware. He was re-elected in 1810; in 1813 President Madison appointed him, in connection with John Quincy Adams and Albert Gallatin, Envoy Extraordinary and Minister Plenipotentiary to negotiate a treaty of peace with Great Pritain, under the mediation of the Emperor of Russia. Henry Clay and Jonathan Russell were afterwards added to the commission, and together they negotiated the treaty of Gheat, 1814. In 1815 Mr. Bayard was appointed Envoy Extraordinary and Minister Plenipotentiary to the Court of Russia. He died the same year, in the 48th year of his age, leaving Mrs. Bayard a widow for nearly thirty years. Richard Bayard, one of her sons, has been twice elected to represente the States Government, as Charge at Belgium, under the administration of President Fillmore; and finally, James A. Bayard, another son, represented the United States government, as Charge at Belgium, under the administration of President Fillmore; and finally, James A. Bayard, another son, represented the United States government, as Charge at Belgium, under the administration of President Fillmore; and finally, James A. Bayard, another son, represented the United States government, as Charge at Belgium, and so defented the same seat in the United States Senate hereatofore occupied so creditably and so long by hi

another son, represents the same seat in the United States Senate herotofore occupied so creditably and so long by his grandfather, his father and his brother.—Post.

The New Orleans Picayane of the 8th instant says:—We have to deplore the death of a somewhat notable citizen this week—Mr. Antoine Fournier, who was French by descent, had been expelled from France under Louis Philippe's government, and arrived in our parish about ten years ago. His name is mentioned in Louis Blanc's "History of Ten years" as having been accused as a promoter of a conspiracy, against the King. The poor old republican, who once moved in the most fashionable circles of France, died upwept, unhonered, far from his country, in a state bordering on indigence. He once had hundreds and thousands at his disposal. How sad is the end of that old man!

Died, at the residence of James Matthews, in Crawford county, Ga., on the second instant, Mr. Joal Ethridge in the ninety fifth year of his age. The decased was a native of Halifax county, North Carolina, and after serving in the militia of his native State, during that period which tried men's souls," moved to Edgefield district, South Carolina, from thence to Jones county, Georgia, from Jones county to Crawford county, of which latter place he has been a citizen for the last thirty years.

George Lewis, aged 90, died on the 13th of November, in Clark county, Indiana. He received his discharge from General Washington.

The Child Muadressa Servencer in New Onleans.—William Yung (or Young) was brought into the First Dustrict Court on Saturday, to receive sontence for the murder of his adopted child in the Fourth district, some time since. It will be recollected that he senaciated the child by flogging and starvation, and finally killed it by a blow upon the head. His deportment on Saturday was about what might have been expected from such a brue. When asked, through an interpreter, if he had anything to say why seatone should not be passed upon him, he very calmy denied his guilt, and accused t

Its anoth lecture of this serie was delivered Broadway Tabornacle, Tuesday evening, by Mr. Wells Brown, a fugitive slave, who, as announced, delegate to the Peace Congress in Paris, in 1889, he received the warm congratulations of Victor I the Abbe Duguerry, Emile di Girardia, Richard to and many others of no less celebrity, for his a upon the "War Spirit of America, which holds in upon the "war Spirit of America, which holds in age nearly four millions of his brethren." After a ing five years in Great Britain, during which to addressed more than one thousand public meeting; commended himself to the confidence of the best in that country, he has returned to his native land vote himself to the work of an anti-slavery le-The subject of his discourse last evening was, "O tional Character, and how it is viewed from a distr

At half-past seven o'clock there was a very his dience assembled, and in a short time after Mr. Be accompanied by Mr. Oliver Johnson and two other themes, accembed the pistform, and were received inneh applease. Mr. Brown is a gentleman of plest appearance and good address. His in far removed the black reace, being just the "cooler of maheges and his distinct connecision evidently showed it white man "spoke" within, although the words are the said that he was not sure if what he would a with would meet their approval, as he belonged to a clathis country the members of which ware treated as mon stork, and as he had been for twenty years of life a slave, and a sourged by the parsons claiming. However, this andlence, which had been accuration, and a situation. He can be a sure of the story of the "with years of life a slave, and a sourged by the parsons claiming. However, this andlence, which had been accuration, a distance. He could truly speak as an American of history of their fathers, as the black man of America stood shoulder to shoulder with the white man in a wingste of the Revolution. The Revolution was comme de intellectually, but the story of the "divine right' hings and their sarly prejudices embarrassed them; his divides the story of the "divine right' hings and their sarly prejudices embarrassed them; his divides the story of the "divine right' hings and their sarly prejudices embarrassed them; his divides the story of the "divine right' hings and their sarly prejudices embarrassed them; his divides the story of the story of the start them to the story of the start story of the "divine right' hings and their sarly prejudices embarrassed them; his divides the story of th

The Protestant Half Orphan Asylum.

The Protestant Half Orphan Asylum.

The annual meeting of this institution was held yesterday, at 12 M., at the Asylum, between Teath and Eleventh streets, in Sixth avenue, to hear the reports of the officers, and transact such other business as might come before them. Some fifty or sixty ladies were present to witness the exercises of the children and hear them recite in the studies they had been pursuing during the past year. The children, 180 in number, were in attendance, dressed neatly, and looking as comfertable as the cold weather would permit. The chair was completed by Mr. James Boorman. The report of the treature. Mr. Eli Wainwright, was read from which it are surer, Mr. Eli Wainwright, was read, from which it ap pears, that the receipts of the year have been \$9,146 90 and the expenditures \$9,234 74. There are 181 children in the Asylum—the cost of each child for the year has been \$51 30. The society received from the school fund \$1,148 77, and from parents \$2,589 71; the remaining \$5,458 26 were contributed by the patrons of the

been \$51. 30. The society received from the school fund \$1,148 77, and from parents \$2,589 71; the remaining \$5,488 26 were contributed by the patrons of the society.

Dr. B. F. Bowkas, physician of the institution, read his annual report; after which
Mr. Wm. G. Butl. offored the following:

Resolved, that the thanks of this society are peculiarly due to Dr. B. F. Bowkas, the the following are peculiarly due to Dr. B. F. Bowkas, the thinks of this society are peculiarly due to Dr. B. F. Bowkas, the thinks of this society are peculiarly due to Dr. B. F. Bowkas, the thinks of this society are peculiarly due to Dr. B. F. Bowkas, the thinks of this society are peculiarly decided for his blessing on Dr. B. Is labors, exhibited in the institution during the last four years and ten menths.

Mr. Bookman put the resolution, but as the audiance were all ladies there was no response; he, however, concluded it was carried, as with the gentler sex silence is supposed to give consent. The exercises of the children were of a pleasing character. They consisted of recitations in geography, arithmetic, reading, &c. Mr. Jeseph McKeen, who was present, examined them in their studies; but did not succeed in his attempts to pussion them. A little fellow then came forward and in a veloc pitched in a high key, said some dreadful things against tobacco, whereat the ladies smiled applause. The dass in geography sing a lesson, and among other things informed the audiance that—

This world is round, wise men dedlare,
And 'hung on nothing' in the sit.

The earth and moon around the sam.

The earth moves on its centre, too,
As wheels, and tope, and pulleys de;
Water and land make up the whole,
From east to west, from pole to pole.

A young geatleman of exceedingly minute proportions was here introduced and proceeded to enlighten the company with reference to himself. He said —

You see I'm a boy and not a man,
You see I'm a boy and not a man,
You see I'm a boy and not a man,
You see I'm a boy and not a man,
You see I'm a boy and not a man,

Small sands compose the ocean's wall;
Small drops the floods from heaven which fall.
Your little prayers and little pence,
A little grace and plous sense,
Will guide this mass of human mind,
And, through us, benefit mankind.
Since little lessons here bestow'd
Have saved me from perdition's read.
My little prayer shall even be—
"Lord, bless my teachers, parents, me.
After the exercises were concluded, the Boy. Jost
Parker delivered the benediction, and the company segarated.
The following is the litt of the officers elect for the
coming year—
First Directross—Mrs. Wm., A. Tomlingoh
Second Directress—Mrs. James Boorman.
Treasurer—Ell Watnwright.
Beeretary—George D. Phelps.
Managers—Mr. G. Ball, Mrs. R. L. Shuart, Mrs. James
A. Brown, Mrs. George S. Robbins, Mrs. Charles Bauler,
Mrs. Wen, W. Chester, Mrs. J. Clark, Mrs. Saml. Denner,
Mrs. Wen, W. Chester, Mrs. J. Clark, Mrs. Saml. Denner,
Mrs. Wen, W. Chester, Mrs. J. Clark, Mrs. Saml. Denner,
Mrs. Waper Grouvanor, Mrs. Caleb F. Lindsign, Mrs.
Denl. D. Lord, Mrs. Anson G. Pholps, Mrs. Morris K.
Jesupe, Mrs. Wm. H. Osborne, Mrs. G. Banth, Mrs.
Wm. A. Spencor, Mrs. Marous Weller, Messra: Brasheer,
Duncan, Lord, Sulforn, Truston, Warren, Kennedy, and
Sarah S. Weeks.

Krecutive Committee—Mrs. Tomlinson, Mrs. Beerman,
Mrs. Boll, Mrs. Phelps, Miss Duncan
Physician—Dr. B. P. Bowers.
Trustoca—Masra. James Boorman, George B. Robbing
Charles Relier, Wm. G. Bull, Wm. B. John Campboll,
Pobert B. Morton, James Doursidon, Chas. M. Talbot.